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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-----------------------|---------------------|------------------|
| 09/851,825  | 05/09/2001  | Stephen A. Canterbury | 47079-00092         | 3932             |
| 30223   | 7590        | 11/14/2003            | EXAMINER            |                  |
| JENKENS & GILCHRIST, P.C.<br>225 WEST WASHINGTON<br>SUITE 2600<br>CHICAGO, IL 60606 |             |                       | NGUYEN, KIM T       |                  |
|   |             | ART UNIT              | PAPER NUMBER        |                  |
|   |             | 3713                  |                     |                  |

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                        |  |
|------------------------------|------------------------|------------------------|--|
| <b>Office Action Summary</b> | Application No.        | Applicant(s)           |  |
|                              | 09/851,825             | CANTERBURY, STEPHEN A. |  |
|                              | Examiner<br>Kim Nguyen | Art Unit<br>3713       |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 02 September 2003.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

|  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 3713

## **DETAILED ACTION**

The amendment filed on September 2, 2003 (paper No. 5) has been received and considered. By this amendment, claims 18 are now pending in the application.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozeki et al (US. Patent No. 5,402,385) in view of Helmbold et al (US. Patent No. 5,497,450).

a. As per claim 1 and 4, Ozeki et al discloses a method for write protecting a storage medium of a game machine. The method comprises decoding a selected address of the storage medium (col. 5, lines 49-68; col. 6, lines 1-29; and col. 1, lines 16-19). Ozeki et al does not disclose disabling the load condition as claimed. However, Helmbold et al discloses disabling the load condition of the data register if the selected address matches an address of the data register (col. 8, lines 21-36). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the step of disabling the load condition of Helmbold et al to the write protecting method of Ozeki et al in order to protect the protected data.

Art Unit: 3713

- b. As per claim 2, Ozeki et al discloses including a write enable selection (col. 6, lines 41-53).
- c. As per claim 3, including card enable inputs would have been well known.
- d. As per claim 5-18, refer to discussion in claims 1-4 above.

***Response to Arguments***

- 3. Applicant's arguments filed September 2, 2003 have been fully considered but they are not persuasive.
  - a) In response to applicant's argument in page 6, last paragraph, and page 7, lines 1-16, Ozeki does teach decoding an address of the storage medium and does use the address lines A0-A21 which address the storage medium 104 in col. 6, lines 60-68.
  - b) In response to applicant's argument in page 7, last paragraph, and page 8, lines 1-3, first and second paragraph, since Helmbold teaches blocking the write condition when the selected address is the address that matches the range of the protected address (col. 8, lines 28-37), Helmbold obviously teaches disabling loading data to the register in the protected area. Since Helmbold teaches disabling loading data to the register at the protected address, and since decoding a selected address to determined the location to write data in the memory is known in view of Ozeki's teaching, a person of ordinary skill in the art at the time the invention was made would able to use the step of decoding data inputted from the external device of Ozeki to

Art Unit: 3713

determine the area to write data on the memory of Helmbold, and to disable the writing command when the writing command is requested to be written in the protected area.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Any response to this final action should be mailed to:**

Box AF:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications; please mark "EXPEDITED PROCEDURE").

Art Unit: 3713

Hand-delivered responses should be brought to Crystal Plaza II, Arlington, VA,  
Second Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 8:00 am to 5:30 pm ET. The central official fax number is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-1148.

kn  
Date: November 7, 2003



**KIM NGUYEN**  
**PRIMARY EXAMINER**